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PATRICK PIERCE  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 PATRICK PIERCE,  
13 Plaintiff,  
14 v.  
15 WELLS FARGO BANK,  
and DOES 1 through 20,  
16 Defendants.  
17

CASE NO. C08-01554 JF (HRL)

**SUPPLEMENTAL DECLARATION  
OF STUART CLARK IN SUPPORT  
OF MOTION OF PATRICK PIERCE  
FOR REMAND TO THE SUPERIOR  
COURT FOR THE COUNTY OF  
SANTA CLARA**

Date: June 27, 2008  
Time: 9.00 a.m.  
Place: Courtroom 3, 5th Floor  
Judge: Hon. Jeremy Fogel  
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19 I, STUART CLARK, declare as follows:

20 1. I previously submitted a declaration in support of this motion, and I now submit this  
21 declaration to supplement my earlier declaration. The facts set forth herein are within my personal  
22 knowledge, and if called upon to do so I could and would testify to the truth thereof.

23 2. In my earlier declaration I estimated that I would be required to expend at least  
24 another six hours in reviewing Wells Fargo Bank's ("WFB") expected opposition to the motion to  
25 remand, and in drafting a reply brief, and an additional eight hours in drafting the opposition to the  
26 motion to dismiss. In fact the time spent on those activities has amounted to in excess of 28 hours.  
27 Thus, my estimate of the expenses incurred by Patrick Pierce as a result of the improper removal of  
28 this case to this court needs to be increased by at least \$5,600, i.e. 28 hours actually taken less 14


1 hours estimated, for a net of 14 hours at \$400 an hour.

2 3. The reason for the actual work required being in excess of my estimate is that I  
3 underestimated the scope and complexity of the legal issues that would need to be addressed, and  
4 the volume of largely inadmissible declarations and attachments and other filings that WFB would  
5 submit – thereby triggering the also unanticipated need to submit objections to those filings.

6 4. The effect of the changes referred to in the preceding two paragraphs is that the  
7 amount claimed by Piece for his estimated expenses of opposing WFB's improper removal of this  
8 case from state court is \$18,800, i.e. the originally-requested amount of \$13,200 plus the additional  
9 \$5,600 referred to above.

10 I declare under penalty of perjury under the laws of the United States of America that the  
11 foregoing is true and correct.

12 Executed at Palo Alto, California, this 13th day of June, 2008.

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STUART C. CLARK